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Government of Kerala
1979

Reg. No. KL/TV/12

# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

Vol. XXIV] Trivandrum, Wednesday, 28th February 1979 / 9th Phalguna 1900 [No. 135

GOVERNMENT OF KERALA

**Local Administration and Social Welfare (D) Department**

NOTIFICATION

G.O.MS. 31/79/LA&SWD *Dated, Trivandrum, 24th February, 1979.*

**S. R. O. No. 277/79.**—Whereas, the Government of Kerala in exercise of the powers conferred by sub-section (3) of section 4 of the Kerala Municipalities Act, 1960 (14 of 1961), in notification IV issued in G.O.MS. 10/78/LA & SWD dated the 16th January 1978 and published as S.R.O. No. 63/78 in the Kerala Gazette Extraordinary No.29 dated the 16th January 1978 as amended by Notification No.IV issued in G.O.MS. 20/78/LA&SWD dated the 25th January 1978 and published as S.R.O. No. 86/78 in the Kerala Gazette Extraordinary No.47 dated the 25th January 1978, Notification IV issued in G.O. MS. 88/78/LA&SWD dated the 18th April 1978 and published as S.R.O.No. 344/78 in the Kerala Gazette Extraordinary No. 259 dated the 18th April 1978, Notification IV issued in G.O. MS. 119/78/LA&SWD dated the 23rd May 1978 and published as S.R.O. No. 469/78 in the Kerala Gazette Extraordinary No. 339 dated the 25th May 1978 and Notification II issued in G.O. MS. 208/78/LA&SWD dated the 31st August 1978 and published as S.R.O. No. 849/78 in the Kerala Gazette Extraordinary No. 567 dated the 31st August 1978, declared the areas specified in the said notifications as a municipality with effect from the first day of September, 1978.

AND WHEREAS, the Government of Kerala in G.O.Rt. 2626/78/LA&SWD dated the 31st August 1978 appointed a Special Officer under sub-section (1) of section 412 of the said Act to exercise the powers, discharge the duties and perform the functions of the said Municipal Council and its Chairman and Commissioner for a period of six months from the 1st day of September 1978;

AND WHEREAS, the elections to all local bodies in the State have been postponed and it is not expedient to conduct the election of the councillors of the Thodupuzha Municipal Council alone at present;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 412 of the said Act, the Government of Kerala hereby direct that the date of coming into office of the councillors of Thodupuzha Municipality shall be postponed till the 1st day of June 1979.

Under sub-section (1) of the said section the Government also direct that the Special Officer shall continue to exercise the powers, discharge the duties and perform the functions of the Thodupuzha Municipal Council and its Chairman and Commissioner till the first day of June, 1979.

By order of the Governor

N. GOPALAKRISHNAN NAIR,
*Special Secretary.*

**Explanatory Note**

(This does not form part of the notification but is intended to indicate its general purport).

In Notification IV issued in G.O.MS. 10/78/LA&SWD dated the 16th January 1978 as amended by notification IV issued in G.O.MS. 20/78/LA&SWD dated 25th January 1978 notification IV issued in G.O.MS. 88/78/LA&SWDdated the 18th April 1978 Notification IV issued in G.O.MS. 119/78/LA&SWD dated the 23rd May 1978 and Notification II issued in G.O.MS. 208/78/LA&SWD dated the 31st August 1978 the Government have declared the areas specified in the said notifications as a Municipality with effect from the 1st September 1978.

The elections to all local bodies in the State have been postponed. It is not expedient to conduct elections of councillors of the Thodupuzha Municipal Council alone at present. The Government have therefore decided that the date of coming into office of the councillors of the Thodupuzha Municipal Council may be postponed to the 1st day of June 1979.

Government have also decided to authorise the Special Officer, appointed for the said Municipality to exercise the powers, discharge the duties and perform the functions of the Municipal Council, its Chairman and Commissioner for a further period of three months from 1-3-1979.

The notification is intended to achieve the above objects.

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## GOVERNMENT OF KERALA

**Local Administration and Social Welfare (C) Department**

NOTIFICATION

G. O. Ms. No. 34/79/LA & SWD. *Dated, Trivandrum, 28th February,* 1979.

**S. R. O. No. 278/79.**—Whereas the Government have in Notification G. O. Ms. No. 69/77/LA & SWD dated the 4th March, 1977 published as S. R. O. No. 213/77 in the Kerala Gazette Extraordinary No. 148 dated the 7th March, 1977 superseded the Erattupetta Panchayat with effect on and from the 7th day of March, 1977;

And whereas, the term of the Administrative Committee appointed for the Panchayat from 8-3-1977 was extended further from time to time upto the 31st May, 1978, by Notifications issued under sub-section (3) of section 13 of the Kerala Panchayats Act, 1960 along with other Administrative Committees;

And whereas, the Government have in Notification G. O. Ms. No. 174/78/LA & SWD dated the 7th July 1978 published as S.R.O. No. 689/78 in the Kerala Gazette Extraordinary No. 452 dated the 7th July 1978 extended the period of supersession of the Erattupetta Panchayat for the period upto and inclusive of the 31st day of October, 1978, and directed that all functions, powers and duties of the said Panchayat and its President shall be exercised by the District Panchayat Officer, Kottayam during the period of supersession;

33/707/MC

And whereas, the Government have in Notification G. O. (Ms) 251/78 dated 31st October, 1978, published as S. R. O. No. 1017/78 in the Kerala Gazette Extraordinary No. 691 dated 31st October, 1978 extended the period of supersession of the Erattupetta Panchayat for a period upto and inclusive of the 28th day of February, 1979 and directed that all functions, powers and duties of the said Panchayat and its President shall continue to be exercised and discharged by the District Panchayat Officer, Kottayam during the period of supersession;

And whereas, the Panchayat could not now be reconstituted due to difficulty in holding elections to this Panchayat alone;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 55 of the Kerala Panchayats Act, 1960, (32 of 1960) the Government of Kerala hereby extend the period of supersession of the Erattupetta Panchayat for a period upto and inclusive of the 6th day of March, 1979. Under sub-section (4) the said section the Government of Kerala hereby determine that all functions, powers and duties of the said panchayat and its President shall continue to be exercised and discharged by the District Panchayat Officer, Kottayam during the period of supersession.

By order of the Governor,

C. S. Sivasankaran,

*Deputy Secretary to Government.*

**Explanatory Note**

(This does not form part of the Notification but is intended to indicate its general purport).

The Erattupetta Panchayat was superseded by the Government on 7-3-1977 under section 55 (1) of the Kerala Panchayats Act, 1960 and Administrative Committee with ten members was appointed to the Panchayat from 8-3-1977 for the period of supersession. The term of the Committee was extended to from time to time upto 31-5-1978. In G. O. Ms. 174/78/LA & SWD dated 7-7-1978 the period of supersession of the Erattupetta Panchayat was fixed upto 31-10-1978 under section 55 (1) of the Kerala Panchayats Act, 1960 and the District Panchayat Officer, Kottayam was appointed to rexercise the function and powers of the Panchayat and its President till its reconstitution. In G. O. (Ms) 251/78/LA & SWD dated 31-10-1978, the period of supersession of the said Panchayat was fixed upto and inclusive of 28-2-1979, under section 55 (1) of the Kerala Panchayat Act, 1960 and the District Panchayat,Officer, Kottayam was appointed to exercise the functions and powers of the Panchayat and its President till its reconstitution. It has been decided that the period of supersession of the Panchayat may be extended upto 6-3-1979 and the District Panchayat Officer,. Kottayam may continue to exercise the functions and powers of the Panchayat and its President till its reconstitution.

This notification is intended to achieve the above object.

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GOVERNMENT OF KERALA

**Law (Leg. C) Department**

NOTIFICATION

No. 15764/Leg. C3/78/Law. *Dated, Trivandrum, 28th February, 1979/ 9th Phalguna, 1900.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the President on the 13th day of February, 1979.

By order of the Governor,

K. VISWANATHAN NAIR,

*Law Secretary.*

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33/709/MC.

# ACT 1 OF 1979

# THE KERALA PAYMENT OF SUBSISTENCE ALLOWANCE (AMENDMENT) ACT, 1978

*An Act to amend the Kerala Payment of Subsistence Allowance Act, 1972.*

*Preamble.*—WHEREAS it is expedient to amend the Kerala Payment of Subsistence Allowance Act, 1972, for the purposes hereinafter appearing;

BE it enacted in the Twenty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Payment of Subsistence Allowance (Amendment) Act, 1978.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In section 3 of the Kerala Payment of Subsistence Allowance Act, 1972 (27 of 1973) (hereinafter referred to as the principal Act), in sub-section (1), for the first proviso, the following proviso shall be substituted, namely:—

"Provided that,—

(a) where the period of suspension exceeds ninety days, the amount of subsistence allowance shall, for the period for the period exceeding one hundred and eighty days, wages; and

(b) where the period of suspension exceeds one hundred and eighty days, the amount of subsistence allowance shall, for the period exceeding one hundred and eighty days, be equal to the wages,

which the employee was drawing immediately before such suspension:".

3. *Insertion of new section 5A.*—After section 5 of the principal Act, the following section shall be inserted, namely:—

"5A. *Act not to apply to certain establishments.*—Nothing contained in this Act shall apply to any public sector undertaking of the Central Government.".